

## HUMAN SERVICES DEPARTMENT[441]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 237.3 and 2012 Iowa Acts, Senate File 2188, the Department of Human Services proposes to amend Chapter 112, “Licensing and Regulation of Child Foster Care Facilities,” and Chapter 117, “Foster Parent Training,” Iowa Administrative Code.

Pursuant to 2012 Iowa Acts, Senate File 2188, the proposed amendments allow for issuance of a two-year foster home license, except that at the administrator’s discretion an annual renewal period may be required. Annual renewal is still required for the first two years of licensure. The amendments will affect foster family homes by allowing licensure of some of those homes for two-year periods instead of one-year periods. These amendments will also be a benefit to foster families who will not have to reapply for licensure annually after they have initially completed their first two years of licensure. The two-year licensure may be a cost savings to the recruitment and retention provider who completes the licensing process.

Any interested person may make written comments on the proposed amendments on or before July 31, 2012. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by E-mail to [policyanalysis@dhs.state.ia.us](mailto:policyanalysis@dhs.state.ia.us).

These amendments do not provide for waivers in specified situations because foster or adoptive parents may request a waiver under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 237.3 and 2012 Iowa Acts, Senate File 2188.

The following amendments are proposed.

ITEM 1. Amend subrule 112.4(6) as follows:

**112.4(6)** A foster family license shall be approved for a term of one year- for the first and second years of licensure. Thereafter, the license shall be approved for a term of two years unless it is determined by the administrator that a one-year license may be issued. A group facility license shall be approved for a term of one to three years according to the following criteria:

a. to c. No change.

ITEM 2. Amend paragraph **117.7(3)“a”** as follows:

a. *Training cycle.* “Annually” means within the annual training cycle as described in this paragraph.

(1) No change.

(2) Renewal license. For a one-year license renewal, the annual training cycle shall be the 12-month period beginning 2 months before the expiration of the previous license and ending 2 months before the expiration of the subsequent license. ~~EXAMPLE: Subsequent~~ The training cycles cycle for a license effective June 1 will would be April 1 through March 31 of the subsequent year. For a two-year license renewal, the training cycle for the first year shall be the 12-month period beginning 2 months before the expiration of the previous license year and ending 10 months after the effective date of the two-year license. The annual training cycle for the second year of a two-year license shall be the 12-month period beginning 11 months after the effective date of the first year of the license and ending 2 months before the expiration of the license.

~~(3) Transition period. For foster parents whose licenses are renewed between October 1, 2009, and September 1, 2010, the transition to the new training cycle shall take place through a 10-month training cycle that begins at license renewal.~~

ITEM 3. Amend subrule 117.9(1) as follows:

**117.9(1) *Training stipend.*** Each family that is issued an initial or renewal foster family home license shall receive a \$100 stipend to be used for the family's annual in-service training. The department's recruitment and retention contractor shall issue one stipend per license on or after the date that the license is issued. When a family with a two-year foster family home license has completed the first training cycle of six hours of in-service training, the contractor shall issue the next training stipend no earlier than the start of the second year of licensure contingent upon the foster family's completion of the in-service training hours in the first cycle. Foster families who elect not to receive the \$100 stipend shall notify the department.